

## **REMARKS**

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

### **I. Status of the Claims**

Claims 1-5 were pending in the application. Claim 1 has been amended. Claim 4 has been canceled without prejudice or disclaimer of the subject matter contained therein. No new matter is added.

### **II. Claim Rejections Under 35 U.S.C. § 102**

Claims 1-3 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 756,670 to Marr ("Marr"). Applicants respectfully traverse the rejection.

The Examiner contends that Marr discloses all of the features of the present invention. Specifically, the Examiner considers that steering-rod C of Marr corresponds to the recited "steering drive shaft," socket *c* in Marr corresponds to the "housing accommodating the steering drive shaft," ring A<sup>3</sup> of Marr corresponds to the "tube part" of the housing, faceplates A' and A<sup>2</sup> of Marr correspond to the "bracket having a fitting hole into which said tube part is fitted," grooves *a* of Marr correspond to the "recess in said fitting hole" of the bracket, and annular projections *b* of Marr correspond to the "escape preventing protrusion bent into said recess" (Official Action, pages 2-3, item 2), as presented in the claims.

Claim 1 has been amended to recite that the tube part of the housing accommodating the steering drive shaft is "extending in a long axis direction of the steering drive shaft," the tube part is fitted "in a co-axial direction of the tube part" to the fitting hole of the bracket, and that the tube part has an escape preventing protrusion "extending in a radial direction of the tube part." Support for these amendments can be found in the Specification, *e.g.* at Fig. 2.

The Examiner considers socket *c* of Marr as corresponding to the housing accommodating the steering drive shaft and ring  $A^3$  of Marr as corresponding to the tube part of the housing. Ring  $A^3$  of Marr contains socket *c* for fitting steering-rod C such that ring  $A^3$  is coupled to the end of steering-rod C. The long axis of steering-rod C is perpendicular to and acts as a secant to the long axis of ring  $A^3$ . In other words, ring  $A^3$  of Marr does not extend in the long axis direction of steering-rod C. Therefore, Marr does not disclose the housing “having a tube part extending in a long axis direction of the steering drive shaft” of the claimed invention.

The Examiner considers face plates  $A'$  and  $A^2$  of Marr as corresponding to the bracket having a fitting hole for the tube part of the housing of the present invention. Thus, the space between face plates  $A'$  and  $A^2$  corresponds to the fitting hole of the present application. Amended claim 1 recites that the “tube part is fitted in a co-axial direction” with respect to the bracket. The Examiner considers ring  $A^3$  as corresponding to the tube part of the housing in the present invention. However, ring  $A^3$  is not fitted in a co-axial direction with respect to the space between face plates  $A'$  and  $A^2$ . Instead, ring  $A^3$  of Marr is arranged between face plates  $A'$  and  $A^2$  such that the long axis of ring  $A^3$  is co-axial to face plates  $A'$  and  $A^2$  themselves, not to the “fitting hole” created between face plates  $A'$  and  $A^2$  (Marr, Fig. 2). The tube part of the housing in the present invention receives the steering drive shaft (piston rod 51) and is co-axial to the bracket 7 such that bracket 7, tube part 53, and piston rod 51 are all aligned on the same long axis. (Specification, Fig. 3). However, in Marr, the long axis of ring  $A^3$  is perpendicular to the long axis of the space between face plates  $A'$  and  $A^2$ . Therefore, Marr does not disclose the “bracket having a fitting hole into which said tube part is fitted in a co-axial direction of the tube part” of the claimed invention.

Marr discloses grooves *a* in face plates  $A'$  and  $A^2$ . (Marr, Fig. 5.) Marr further discloses projections *b* of ring  $A^3$  projecting in an axial direction such that the projections are adapted to fit into grooves *a* of face plates  $A'$  and  $A^2$ . (Marr, Fig. 4.) On the other hand, in the present invention, an escape preventing protrusion 8 extends in a radial direction with respect to the long axis of tube

part 53. (Specification, Fig. 3). Therefore, Marr does not disclose a tube part having an escape preventing protrusion “extending in a radial direction of the tube part,” as claimed in amended claim 1.

For at least the reasons above, Applicants submit that Marr neither discloses nor suggests each and every feature recited by amended claim. Therefore, Marr does not anticipate claim 1 as amended.

Claims 2, 3 and 5 depend from claim 1. Applicants respectfully submit that, for at least the reasons discussed above with respect to claim 1, claims 2, 3 and 5 are patentable over Marr.

### **III. Claim Rejections Under 35 U.S.C. § 103**

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,836,079 to Salch (“Salch”) in view of U.S. Patent No. 2,479,702 to Rood (“Rood.”) Because Applicants have canceled claim 4 without prejudice or disclaimer of the subject matter contained therein, this rejection is moot.

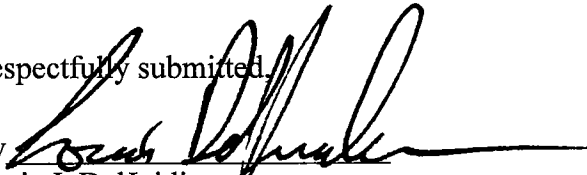
**CONCLUSION**

Each and every point raised in the Office Action dated September 4, 2008 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-3 and 5 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining that the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: November 17, 2008

Respectfully submitted,

By 

Louis J. DelJuidice

Registration No.: 47,522

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant